

MR. JOHN ELWOOD, NEW WHATCOM, WASH.,  
AUGUST 11, 1895.

(Interviewed by Richard Rathbun).

Q. The first thing of interest to us is some little history of the fishing at Point Roberts; when it began and how, etc.?

A. Well, how it began -- the Indians. Point Roberts for ages has been the rendezvous of the different tribes of Indians on the Sound here, in British Columbia principally; principally Canadian Indians, and for ages they have fished there. There were 8 tribes there on Point Roberts, and the fights that have occurred -- the traditions say that they had to fight for supremacy on the Point for fishing privileges, and it is a common tradition that the Samish Indians finally conquered the other tribes and became masters of the situation and farmed it out, and permitted other Indians to fish by levying a tribute. They had a great many battles there and hundred of Indians were killed, and they fought for years. On that reef that runs out there at the Point is where

they fished.

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Q. Where are those Indians located; where do they belong?

A. The Indians are principally -- well, probably there are over there now 150 to 200 Indians fishing there, and of that probably 100 would be from Lummi reservation here, and the balance would be composed of Samish, Cowichans and Semiahmoos.

Q. All belong on the American side of the line?

A. Not all; the Lummis and another tribe (the ? Indians) who are living at Lummi , but belong to the Lutalet reservation. The greater part are Americans this year, but former years they were principally British Columbia Indians.

Q. I was thinking of the treaty; that is enough to make them go.

A. Yes; that has brought the Indians -- there has been an effort to deprive them of the right to fish there, and the Lummi Indians are fishing there in larger numbers this year than ever before, on account of the fact that the British Columbia Indians, there is a question of

their right to fish there. I was going to remark, that these locations have been handed down from family to family, and the locations they have now were owned by their forefathers, and the Indians would sooner think of killing each other than interfering with each other's rights.

Q. Of course this case between the Indians and whites fishing there is not finished.

A. No, it is not finished. There is no question but what the Indians have been practically shut out. I was over there a couple of weeks ago and up to that time they had not caught enough fish to eat. I have seen the Indians bring in 60,000 salmon at one time fishing.

Q. How many Indians would there have been to catch that number?

A. Well, probably not more than 15 canoes, and probably less -- probably 100 Indians with 15 canoes.

Q. And all using their -- what do you call it?

A. Their reef net.

Q. When did the whites begin to do much fishing at Point Roberts?

A. Well, my experience; I began fishing there in 1874; that is the first season I fished there.

Q. Anybody else fish there before?

A. Yes, sir; there has been other parties fishing there along in the early '60's; some white men from the Fraser River.

Q. Did they keep it up?

A. Well, no; they did for 2 or 3 years in a small way, but it really did not cut much figure, the salmon business, with respect to the white people until about 1876. Then there were 2 or 3 firms came from Seattle and put up salmon there, and I put up salmon from 1874 right along to 1887 or 8.

Q. Before you came there did the whites do any other fishing?

A. Yes; there had been drag seines, but no trap fishing.

Q. Where would they seine?

A. They are seining on the west side of the Point.

Q. On the outer side?

A. Yes, sir.

Q. Better seining grounds on the outer side?

A. Well, yes; it is better as the ground around the point - they keep right close to the point, and there is no rocks there, and that is why they seined there. There never was any great catches made there in my experience; 300 or 400 was the most they would catch. I am speaking particularly of the sockeye salmon in the fall; of course, the fall silver salmon, more white men were engaged than during the sockeye season.

Q. You did some seining there yourself?

A. Yes; I seined for sockeye, but with not much success.

Q. Did you get most of your fish from the Indians?

A. Yes; I bought most of my fish from the Indians.

Q. Did you seine at the same place that the others did, around off here?

A. Yes, about the same place. There was about 1 1/2 miles there on the outside of the Point immediately in front of the light house

reserve and northward.

Q. Why wasn't there good seining ground where the cannery is?

A. It is too rocky in the first place. The seines are about 2 fathoms deep in the wings and about 4 or 5 fathoms in the bunt, and these rocks made it almost impossible to seine there.

Q. What was the fishery of the Indians? Did they fish early for the spring salmon at all?

A. No, sir, only the sockeye.

Q. They did not fish after the sockeye run was over?

A. Well, they would remain there until the first of the humpback salmon came and they would catch and dry immense quantities. When I went to Point Roberts, where the cannery is now located, and the other spit up the beach from there where the Indians are living now, that land was all covered with racks, every few feet, down to high water mark, there was these drying racks there.

Q. They dried the sockeye of course?

A. Yes.

Q. It has generally been said that salmon are not very good to dry in that way, taken in

salt water, is that a fact?

A. Oh, not at all. The very fact of the Indians coming from such long distances and fishing there and fighting for the rights to fish, and I have seen them myself after the season was over with the large canoes carrying 1 or 2 tons of those dried fish to move them away.

Q. What I referred to; the richness of the salmon may not apply to the spring salmon; I am not sure that they dried them until they had made their way up the river and become thin.

A. Well, I dont think there is anything in that; the Indians sundry them mostly; just keep a little smoke going all the time.

Q. How late in the season would they fish?

A. They generally come to Point Roberts, the Indians do, along about the first of July and remain there until the first or second week in September.

Q. They dont belong there at all; they all leave there?

A. They all leave there, yes sir.

Q. They did not do any other fishing there?

A. Yes. I was going to remark that 8 or 10 years ago, and up to about 6 years ago, they used to catch a great many dog fish there, and the Lummi Indians principally would go to Point Roberts and make that their headquarters, going in the month of March and fish there until the salmon came. They would stay right there. They used to catch them in nets and with trot lines. They used the trot lines with 150 to 200 hooks, and then they would use a kind of gill net, submerged on the flats and resting on the bottom, and the dog fish swimming around would become entangled. They would be about 100 fathoms long and they would put cedar sticks about every 5 or 6 feet to keep the net from being rolled up, and used to catch them that way.

Q. What did they use for floats, anything?

A. Nothing at all, except the cedar; they would stretch them out and anchor them. They had no occasion to use floats to keep them perpendicular.

Q. Is that all the fish they used to take?

A. Yes, sir; that is all. They used to



dry a great many clams there.

Q. Did they use to dry them for preservation?

A. Yes; Point Roberts is noted for its clams. They make a business of collecting clams there. Sturgeon; they take large quantities of sturgeon too in the month of June up in Boundary Bay. Sturgeon go up in the Bay I presume to feed on this prawn, I think you call them. The sturgeon, dog fish and salmon are about all they use there.

Q. Well, now, during the early time, of course they caught only for their own use?

A. Yes, that is all.

Q. And did not sell any?

A. Not; it was just dry salmon, and the business was very small up to the time I went there. I used to put up from 200 to as high as 1,000 barrels in a season there.

Q. That was salted?

A. Yes, sir.

Q. Where did those salmon use to go to?

A. Principally to San Francisco, and made a few shipments to Australia on sailing vessels.

Q. Up to the time you went into it, were

you the only one there?

A. No, sir; there was a Mr. Levy from Seattle; he was engaged there for several years buying fish from the Indians and barreling.

Q. But the fishery was a very small one?

A. Yes, sir.

Q. What did you take, anything but the sockeye?

A. No, sir; just the sockeye.

Q. Did not get any spring salmon?

A. No, sir. The spring salmon run in the early part of the season and the weather is too stormy. I presume if they could fish there when the weather is good they could catch quite numbers of spring salmon. Humpbacks, I never could find a good market for, but I think the day is coming when there ought to be a good market for those fish; and that is one of the biggest objections to the traps. They go in the traps, and what can they do with them but destroy them; and they are a very fine fish, all except the color. The early run I consider belong to our fall salmon; that is Hone salmon.

Q. What is that name from?

A. Well, it is an Indian name. It is derived - I think it is an Indian term for humpback. The other name, hado, is the term the Indians give them up around Puget Sound and around Seattle.

Q. What else is there that is interesting about the early fishing up to the time when they began to use pound nets and traps?

A. Well; there is the question of why the Indians frequent those points. That is a matter that I think I have made somewhat of a study of. You take our spring salmon and the fall or silver salmon, coho they call them, which is an Indian term, they will take bait. You can catch a great many of them. But the sockeye, we have never known them to take bait, and I have examined thousands of them and we never find anything but a little bit of yellow substance in their belly, and the Indians think they frequent those reef because there is a small crustacean around those kelps. They are caught in greater abundance on those reefs -- Here at Lummi Island there is a great fishery, and at every point where those kelps are abundant we can catch those fish. There is a

point at the southern end of San Juan Island; on the southwestern end of San Juan there are 2 points there where they touch on Lopez, and they would, of course, reach over there to Lummi - they are caught in great abundance. Village Point is another great point.

You have been acquainted with the Indians catching fish in early days, making their nets, etc.? The Indians in early days manufactured their nets from dry cedar roots. When I first went to Point Roberts, I should imagine there must have been 50 tons or more of this netting they had there, and the Indians told me it would take them all winter to get out enough of this fibre to make nets, and they would only last one season. If you will leave your address I can forward a sample of that at any time. I had one of the old Indians to go to work and make some. The location of the reef where the Indian fish their nets - it is only the older members - there are very few men can tell when the fish are swimming here, and it is generally the older men who can tell. In the first place they have to cut a channel through this kelp, and this old

Indian will stand in the canoe and give the signale when the fish were supposed to be swimming through, and they would lift the nets. The nets they used to have were about half the size of the nets they have now. When I began fishing they had discarded their old twine, with very few exceptions. They could get their twine so much easier that it would not pay to manufacture it.

Q. Now, suppose we take the different kinds of salmon, in a general way, and trace out their course, seasons, etc.; now, the sockeye salmon, what do you know about them previous to their entering the Fraser River? Where do they come from?

A. Well, of course their course is traced from the mouth of the Cape; they appear at the mouth of the Cape along in June. They are not caught there to any extent until they get up to Victoria; they follow up on the British Columbia side of the Straits.

Q. They dont follow the American side at all?

A. No, sir; they keep on the other side of

the Straits, and the first point they touch where they are caught in any quantity is at a place called Sooke, at Becher Bay; that is the first place they touch at.

Q. I have been at work on that and have been up to Port Angeles, and on the British side, and I cannot find any trace of their being caught along the south shore at all, at Neah Bay even, nor at Port Angeles, excepting a few stray ones.

A. Yes; the Indians told me around Clallam -- I was running a vessel down there and made inquiries with reference to making a location for a cannery, and made diligent inquiries from the Indians, but they told me that they had never heard of their being caught at any point below Becher Bay.

Q. When they get up there what do they do?

A. Well, they follow up until they get to Trial Island. Off Race Rocks they occasionally catch a few, but the waters are too swift to work to advantage. A portion of them go up through Haro Channel and up along through Active Pass and out through there (Referring to map).

They appear to divide right off Discovery Island and a portion of them go along the south end of San Juan Island and follow around into Rosario Straits and up Rosario Straits across to Lummi, and then on up to Birch Bay, and that is the point where they are found quite abundant, although they have not put in traps in there, but the Indians have taken them in quite good quantities; and then they work up around Point Roberts.

Q. Do they go between Lopez and San Juan?

A. Well; they straggle through some.

Around Stewart Island is quite a place to catch them. A part go up to the west and a part to the east of San Juan Island, as they come in. They apparently all go in a body, and they feed at these different points. That is a subject I would like to know about, what they eat.

Q. Now, where do they strike after they get up above the islands?

A. Well, those that go up through Active Pass strike right across the straits and enter the main Fraser River channel. We have what is called Canoe Pass. The most of the salmon rounding Point Roberts here enter Canoe Pass,

and the fish coming through Active Pass enter the main river. Some years most of the salmon go up Canoe Pass and other years most of them will go up the main river, and the last few years a great many have been going up the North Fork.

Q. The fisheries, as I understand it, extend out something like this (illustrating)?

A. Yes, they run out 3 or 4 miles and I understand this season they have extended nearly across, but they never did before. Years ago they did not fish in Canoe Pass at all; it was all in the main river.

Q. We went out in the main channel from Ladner's Landing and there was a tremendous cluster of boats off Canoe Pass, and they were fishing to seaward as far as we could see; there were 400 or 500 boats at sea that day.

A. Yes? Well, this is the first year that any fishing to speak of has been done out there and I presume they are catching fish out there as I don't see any reason why they should not, the water from the river makes that water very brackish and discolored.

Q. Here is the point that puzzles me:



whether the bulk of these fish go up into Boundary Bay and go around or not.

A. I think not. I dont think that but a small portion of the salmon that enter the Fraser go around Point Roberts. Of course, some people think that a great many come in from the northern point of Vancouver, but I dont know anything about that. I have inquired from some Indians at Nanaimo, but they have no knowledge of it.

Q. Now, leaving out the question of the Indians there, the point that Great Britain makes is this: Whether the nets here can be put in so as to interfere with the main body of fish that enter the Fraser River.

A. I think not; I dont think it will interfere with the main body.

Q. But all the sockeye that pass around the point keep pretty close to the shore.

A. No, sir; they come in such immense numbers that they stretch out from shore; in a big year you will see them for 3 or 4 miles off the point, and you will see thousands of them out of the water at any time.

Q. You dont think that they simply skirt

the shore?

A. No, sir; I think but a small portion skirt the shore. There are such immense quantities of them that while they may approach the point to feed, the water is just alive with them.

Q. How far do they go up into Boundary Bay?

A. About half a mile the other side of the boundary line would be about as far as they go.

Q. You have been over there this year?

A. Yes, sir.

Q. The british have 2 traps on the northern side of the line; they caught nothing in them last year or this year up to the time we were there; do you think they are too far in?

A. Yes, sir; there is no question about that.

Q. Mr. Pike has a net just south of the line; it would apply equally well to that?

A. Yes, sir; it will; I think the fish they catch there will not cut any figure at all, although in a big year they may straggle in, especially if the tide happens to be high and a strong southwesterly wind.

Q. Mr. Goodfellow says his net is a poor one.

A. Yes, I presume it is. If I were going to put a trap there I would not put it at any point where they have them.

Q. Mr. Goodfellow said the best point was the one off the cannery for trap nets.

A. Yes; right off the cannery on the reef, where the 3 traps are.

Q. And the next, he says, is the light house point.

A. Yes, sir.

Q. Is that better than where Wright's is?

A. Yes; simply because it is deep water and the fish round pretty close to that point and it is right in the course of all the fish, and when they get around that point they scatter out as it is shallow water. The deeper the water the larger the schools and the closer in.

Q. You have never heard of the sockeye taking bait?

A. No, sir; I have tried among the schools many times, and the Indians tell me they will not.

Q. We have had some very conflicting

testimony on that subject at other places about here, and just as positive opinions both ways, but only a few who say they have been taken by trolling.

A. I have trolled with spoon bait and with sardines, and where I would naturally hook them, for hours at a time, and never got a bite. I have caught spring salmon and fall salmon. I used to be an enthusiastic fisherman when I first came here.

Q. Well, now, about the spring salmon, do you know much about their movements?

A. Yes, I made that quite a study, although the last few years I did it with the idea of locating traps to catch fish during the winter months here. We have 2 runs of spring salmon; we have a run that occurs along in February; they follow the herring up the Gulf and they are in quite numbers, and apparently those fish all enter the Fraser River. They just follow up on the coast, and probably stay longer by reason of the abundance of herring for feed.

Q. Do they take the same course as the sockeye?

A. Yes, just about the same course; that is from Lummi Island. At Lummi Island they go on the inside instead of the outside.

Q. Do they come from the Straits of Fuca then?

A. Yes, sir.

Q. Do you get them through the Straits of Fuca?

A. I have heard they are caught by the Indians trolling; they catch them on both sides down the Straits. I think the spring salmon enter the White River near Seattle -- one of those rivers.

Q. Would they enter during the first run in February?

A. Yes, I think so.

Q. When does your second run come?

A. That occurs the latter end of April and continues then for about 60 or 90 days.

Q. Do they then keep on up to July?

A. Yes; and at the canneries they have been catching them all summer -- part of them white and part red.

Q. Do they get them again in the fall?

A. Yes, they continue in the fall, but they become diminished. After the first of August they become diminished and straggle along

Q. You dont have a lot separately in the fall?

A. No, sir.

Q. When do you find the most white salmon?

A. Well, in the early spring we catch more of them, that has been my experience; though, as a matter of fact, I have never fished them to any great extent and never bought many of them, but my fishermen at Lummi and the white men tell you that this early run --

Q. We have heard it said that the spring run can be taken in small quantities at most any time of the year here.

A. Well, there is no question about that.

Q. Is there any time when they are absent?

A. Well, the spring salmon are confounded with the jack salmon a good deal; they resemble the spring salmon, only they are not quite as large.

Q. What is the jack salmon?

A. Well, in appearance it is spotted,

similar to the spring salmon, but not as large, about  $1/3$  less in size.

Q. When do they come?

A. They are found during the winter; they begin along in the early winter and continue until spring. They are caught up in Seattle and around the bays, the fishermen seine them, and they are caught by Indians trolling them. They are caught in small quantities. But I believe they are putting out traps now around Everett and catching quite large quantities of them.

Q. So you think it is the same species?

A. I would not be surprised if it was.

Q. It has led me to wonder if the spring salmon go out beyond the Straits.

A. The Indians tell me that they catch them all the year round, and it is a fact. Up at Port Gamble and at Hoods Canal they catch them all the year round.

Q. To return to the sockeye, you say a few straggling sockeye have been taken?

A. In the Nooksack, yes, sir.

Q. Do you know of them in any other river?

A. No, sir. I have heard they have been

caught in the Skagit, but I never place much credence in those reports.

Q. Now, the next salmon is the humpback; is that found in the Straits at all?

A. Yes, sir. I know of them only from -- out here off Smith Island in the Straits is the farthest point to the southward that I have heard of them, but they are well defined; they jump in such great numbers; they are the most numerous fish we have of the salmon tribe.

Q. When do they run and where do they run?

A. They begin running immediately after the sockeye run, which occurs along about the 4th or 5th of August.

Q. Some run a little earlier?

A. Oh, yes; they catch a few, but the main body come in then. They are running heavily now, and, of course, they only run every other year.

Q. What are they good for?

A. Well, I regard them as a good, marketable fish. They are a superior fish to the fall salmon or silver salmon; they are much richer.



Q. Good color?

A. No, the color is against them. They are a light pink color.

Q. Do they get them among the San Juan Islands?

A. Yes, sir; they follow pretty much the same course as the sockeye, but they distribute themselves all over the Sound. They go up White River and Skagit River in great quantities and they are the most numerous on the Skagit River.

Q. Will they take a hook?

A. No, sir.

Q. Now, the next are the dog salmon.

A. They are a large fish, but the color is against them, and their outside appearance to look at, they are a variegated black, ugly looking fish to look at, but Myers in Seattle is canning them extensively. I cannot see why he should not use the hone in preference to dog salmon, although he may use both. I presume he puts the dog salmon up in the season the hone will not run.

Q. How about the dog salmon around Point Roberts, do you know of their occurrence?

A. Yes, they are there, but the Indians never bother about catching them; they have never been caught to my knowledge in any quantities, as they generally run later. They run -- the silver salmon follow the hone and the dog salmon next.

Q. How about the silver salmon around Point Roberts?

A. Well, for the last 4 or 5 years the silver salmon have been growing less every year. When I began fishing in 1874 all the small bays on the Gulf -- Semiahmoo Bay, Birch Bay, Bellingham Bay and Samish were great places for silver salmon. We used to fish and sell them to the Fraser River. We began to fish in 1879, and there was employed probably 200 men fishing those salmon, and they have practically exterminated the salmon. When I began I had a small seine about 30 fathoms long, manned by 5 men, and we found no difficulty in putting up 400 or 500 or a thousand barrels of salmon in Semiahmoo Bay, with the short seine, and in 3 or 4 years they became almost exterminated, by hauling seines at the mouths of the rivers as they entered. I have hauled as high as 100 barrels

of salmon at one haul.

Q. Do you know whether any of the other salmon have shown signs of decrease?

A. No, sir; not in this locality, because they have not fished for the other salmon as persistently as they have for those. Of course previous to the canneries at Elaine, the Indian methods did not cut any figure. I think the sockeyes are increasing, and it is all owing to the effects of the British Columbia authorities in propagating salmon. This year is regarded as an off year, but a greater run of fish has been caught, and I lay it to the effects of the hatcheries. The fall salmon, it is hardly worth while fishing for them, the quantities have become so decreased that there is not any at all in fact; that is the silver salmon. We have later; in the winter we have what is known as the steelhead salmon, and last year they gave employment to quite a number of fishermen here, and were shipped east. They run in Bellingham Bay all winter.

Q. How about the steelhead at Point Roberts, can you tell me anything about it there?

A. No, sir.

Q. Now, something about the modern fishing at Point Roberts; when were trap nets first used there?

A. In the year 1885 I think was the first year. A man named John Waller brought them there. He fished there for about 4 years with varying success; it was pretty much an experiment simply.

Q. With one trap only?

A. Yes, sir.

Q. What did he do with his fish?

A. Well, he ~~barned~~ <sup>barned</sup> them, and sold considerable to the Fraser River canneries there. He sold the larger part to the canneries and salted the rest.

Q. He would set only during the sockeye run?

A. Yes, sir.

Q. Where was his net?

A. Right in front of the cannery.

Q. Did he own the land there then.

A. He was a squatter at that time. It is the piece that is covered by Mrs. Waller's claim.

Q. Why did she change her claim?

A. In order to acquire the spot where the

Indians are now living. When Mr. Waller first went there the Indians were living where the cannery is now, and he drove them over to this other spit, and he bothered the Indians by burning their buildings, etc., until finally the question has been brought before the courts. There is some question now, I believe, about the property being issued by the government, and it is a question whether she will get it or not.

Q. What is Mr. Goodfellow's claim against here?

A. He has no right. I was there and used to use that spit with Mr. Waller, and used to buy the fish from the Indians and used to look after them, and for years I used that for putting up salmon, and finally, in 1888 or 1889, I sold out to Mr. Goodfellow my buildings there, and he immediately went on and claimed a home-  
stead, and entered on that portion.

Q. Wasn't he too late?

A. Oh, yes; he was not there in 1884.  
He has no show at all.

Q. Only, there is this thing: There has been a contest between him and Mrs. Waller, and

whatever it was, it was decided in her favor by the Land Office, and whether that referred to the extent of her claim or which range was claimed I dont know.

A. That is as I understand it, but the patent has not been issued. She moved her original entry to the extent of acquiring the balance of that property, and the Indians are still there.

Q. Of course, there is no question about the rights of the Indians to fish there under our treaty. What would be their rights to squat and make a camp for the time being?

A. They have all the right in the world.

Q. How did they chase them from the other point?

A. Simply because the Indians did not know their rights. I happened to run across a copy of the treaty, and it guarantees them perfect right to fish at all their usual places, and there was a case brought in court here where a man had pre-empted 100 acres on the Columbia River and was using it for farming purposes, and the Indians came there and the

man naturally objected to their going on his land and he ejected them, and a suit was brought and the Indians were defeated. It was appealed to the Supreme Court, and the Supreme Court went over it, and under the treaty they claimed the United States Government was bound to respect their treaty, and that man had to throw down his fences and allow them to fish.

Q. When Mr. Waller had his trap there, how large a trap did he have?

A. He had a leader I should judge probably not more than 800 feet long and the pot and heart would probably be 150 feet more -- probably 900 feet altogether. The pot would be probably 20 feet square. It did not come into the shore; not probably within 100 yards of the shore.

Q. When did they add traps to his?

A. Mr. Waller was followed by Kirby, who is now manager of the fishing department for the Alaska Packing Company, and he fished there from 1886, I think, until about 1890, when he entered the Alaska Packing Company.

Q. He fished alone?

A. Yes. He had but one trap. He acquired the same location that Mr. Waller had, and simply took his place.

Q. Did he used the same size nets?

A. Well, he moved it; he kept increasing the size of the lead and changing the course of the lead and location generally. He was experimenting.

Q. What others came in then?

A. Well, Mr. Drysdale erected a cannery at Semiahmoo and in 1890 put in 3 traps.

Q. Had there only been one trap up to that time?

A. Yes; that is all up to 1890.

Q. Goodfellow had not come in then?

A. No, sir. Well, yes; I am mistaken. Goodfellow came in in 1888 and put in another trap near the boundary line, so there were 2 traps.

Q. He had no other trap until last year?

A. No, sir; last year I think was the first time he had 2 traps.

Q. So that the addition in the number of traps has been made in 1890 and subsequent years.

A. Yes, sir.



Q. What did Mr. Drysdale do in the beginning; did he try to put in more than one trap?

A. Well, the first year I sold him the property where his cannery is located. He came there from the Fraser River, a British subject, and he outlined his policy to me that he wished to engage in the cannery business and acquire a monopoly, and he went to the legislature and got all he asked, as our legislature knew but little about it and cared but little, and he got a monopoly of the business, and he looked with jealousy upon any one else getting in there, but I am interested in the way of seeing the interest developed and I have property right adjoining his cannery, and he made me a very good offer, but I wanted to see others in there. After the second season I finally interested Mr. Wadhams from the Fraser River also. That was in 1892. He came there and started to put up a cannery and drive his stakes for traps, and Mr. Drysdale got out an injunction, and they fought all summer in the courts. Of course you are aware of the fishing laws here. They attempted to enact laws for the waters of Puget Sound, and they did, giving parties who had

made locations the prior right, and defining the distance, etc. Mr. Wadhams was confronted with the proposition that the only way he could get in was to defeat that law; and they did so, as the judge decided the waters of the Gulf of Georgia could not be construed as the waters of Puget Sound, and Mr. Wadhams came in and put up his traps and the next season the Alaska Packing Company bought them both out. And the question is now the law is a dead letter and they are not paying any license for those traps, and if I want to put a cannery up there I am confronted with the proposition that we have no laws and they can drive piles in front of me and drive me out, which they threatened to do. They have no other rights, and there is no question but what those waters should be regarded as Puget Sound. I have a wealthy company who will come in and put in a cannery there, but they said "Here! you have not enacted any laws here". I went down last winter to try and have the waters declared as the waters of Puget Sound, but the Alaska Company had their agent there and they killed

the whole thing. Then, sockeye salmon, 4 years ago they threw away 50,000 sockeye salmon to my knowledge. They would not sell them and would not permit other men to fish for them, and simply threw them away, and they are throwing away thousands every year.

Q. Were there ever as many pound nets as there are now there?

A. Oh, no, sir. The Alaska Packing Company I think have 8 or 9 in operation, and they have a reserve of 5 or 6 more ready to put in in case any one drove there. Last year they caught more fish with a less number of traps than they could pack, and this year they are practically doing the same thing, and are carrying the fish 4 or 5 days old.

Q. Take it on the western side there are 2 pound nets near the boundary line?

A. Yes, sir.

Q. One of those belongs to Wright?

A. Yes, sir.

Q. How long has that pound net been there, do you know?

A. I think this is the third season.

Q. Then the A. P. A. pound net there, how

long has that been there?

A. Two seasons.

Q. There never were pound nets there before?

A. Well; to go back to the early history, some parties in 1878 put in a trap on the western side of the point, but they did not catch anything.

Q. Take it at what we can call the light house reserve, how long has there been pound nets on that?

A. This is the first season with Mr. Goodfellow, and I think 3 season with the A. P. A.

Q. Are you sure? I thought that was more modern?

A. Well, it may be only 2, but I think it is 3 seasons; and I am quite sure it is 3 seasons, because Mr. Wymans fished 3 seasons ago.

Q. When was this law knocked out?

A. The law was knocked out 2 years ago this summer. They were obeying the laws as long as they felt they had to.

Q. Now, on this inside of the point, there

are besides those 3 -- are there more than 5 traps now north of the line of 3?

A. The Alaska Packing Company have 3 traps and Mr. Goodfellow one, is 4; and Pike one, is 5. That would make 8 for the A. P. A. altogether.

Q. Those have been in there how long; those 3 extra ones of the A. P. A.?

A. They have been there 3 seasons, and I think one has been there 4 or 5 seasons.

Q. Now, to get at some details of the thing; what size mesh do they use?

A. Four inch mesh I understand.

Q. It is smaller than that; I think it is only 3.

A. Well, I recollect Mr. Kirby's was always 4 inches.

Q. Now the question is, do they take too many small fish in their nets?

A. They must take a great number, because in making contracts with the Fraser River fishermen, their salmon are all caught with 6 or 7 inch mesh, and they will not give us the same price per hundred on the Fraser that they do their fishermen on the Fraser River because we

could catch so many small fish.

Q. How will the sockeye range in size at Point Roberts?

A. Well, the sockeye are a very uniform fish; about 6 lbs. is the average.

Q. Do you get many small sockeye there?

A. No, not many. There are a great many grilse.

Q. Will they retain the grilse in those traps?

A. Yes, sir.

Q. I don't know whether by increasing the size of the mesh it would do any good.

A. Well, I don't think it would here; they will not take the trouble and the fish are destroyed as soon as they are taken out of the mesh.

Q. I mean by increasing the mesh the fish will not escape.

A. No, sir; I think not, because we get hundreds of brook trout that are gilled. They can devise a method of taking them out as they used to by lifting them out and throw the fish overboard. It would be more expensive to the Company, but it would prevent the loss of fish.

Q. Do you think that ought to be done?

A. I do. I have urged it in our papers here, but, of course, no one feels interested enough, but it is imperilling the amount of salmon every year.

Q. Of course, the thing is to look forward to the effect and see how long the fish are going to hold out; that is whether they are to be used up by this generation or not. And it seems as though they could throw out those fish without much additional expense.

A. I have used the very same points with reference to that, and I hope we can make statutory laws to cover that, and I think that can be done. I don't know but what the United States Government will make such suggestions, but it will be well for the Fish Commission to make the suggestions.

Q. At the same time, you don't want to destroy the industry.

A. No, indeed; it is our principal industry here, and the only one that is paying a profit. The Alaska Packing Company paid a dividend of 42 per cent last year, and this syndicate that owned the canneries in British

Columbia they averaged 30 per cent dividends for the last 6 or 7 years, and they have been doing that when they have been paying double the price that they paid on this side.

Q. What do the fish cost the A. P. A. on this side?

A. I was figuring the other day that it was about 3 1/2 cents a piece.

Q. On the Fraser River they get very few fish under 15 cents.

A. Yes, sir; very few.

Q. Now, with reference to the distance apart that pound nets should be set -- the distance apart laterally?

A. Well, I should say that they ought to be at least 2,000 feet apart. You see the fish are only caught swimming one way. If I put one trap up it makes no difference how many traps are behind me, but it is a question of having them so near, and more particularly at the point; the fish go right in there, apparently right facing inshore on the reef.

Q. They come facing inshore?

A. Yes; right on the reef they do, but they dont do it in any other point in Boundary



Bay; they work around the shore and they go to feed on that reef.

Q. The law for Puget Sound is intended to provide that the nets shall be a certain distance apart laterally, and that no nets shall be set without license, the Commissioner deciding how the license shall be given.

A. Yes, I think it provides for an opening between each trap of 600 or 900 feet, which is probably all right.

Q. Do you think that is sufficient, to have the distance between them laterally defined, and then when traps are set in a string, to have the distance defined there? You would not limit the number in a string?

A. Well, yes; I think so for several reasons. When you get out 2,000 feet it is a menace to navigation, because it is right in the track of vessels at that point traveling from Mud Bay, and there have been several vessels damaged there. I know a party who had to cut the nets to save his boats. And it is coming to that eventually, that they will be putting traps half way across to Semiahmoo in order to get ahead of people in shore, and if they keep

extending those traps out from shore they are going to block navigation entirely, so that there should be a distance defined to which they shall run out, and I think 2 traps should be sufficient.

Q. How about the lead on the shore? How near the shore should the lead come at low tide?

A. I think that should be governed too. It ought to be left at least, I should say, 1/4 mile at low tide, because the smaller fish, grilse, come in shore, and it would protect them to quite an extent.

Q. How about navigation too?

A. Well, for small boats; if I have cause to go from one side of Point Roberts to the other, I will have to go away 2 or 3 miles out of my course and get into rough water too, to get around.

Q. Did you ever know of their fishing up on the shore there?

A. Oh, yes. Those big pots come right to high water mark. I have seen the fish jump right within a few yards of the shore in high water.

Q. Why have they shut them off that way?

A. Well, it is to gather everything. They dont want those Indians -- They could have taken those 3 traps in front of the cannery and they could have gone 500 feet farther to the southward and would not have affected the Indians at all. But those Indians are there, and they are aware of the fact that I have been trying to get a cannery there, together with other parties and they want to shut out the Indians as well.

Q. I cannot understand the spirit that is actuating them at all, because both Mr. Drysdale and Mr. Wadhams seemed to be intelligent men?

A. Yes; and Mr. Drysdale is a thorough business man I fully acknowledge, but they are using every effort to accomplish their purpose.

Q. What do you think, for the protection of the fish, about close seasons?

A. I should think that there ought to be-- I mean a certain number of days, and I should think that 10 weeks at the outside would be sufficient, and I think every Saturday night until 6 o'clock Monday morning fish ought to be permitted to go up.

Q. Do they ever work the canneries on Sunday?

A. Oh, yes. Now they are going to have 1 or 2 additional boats attached to the main fishing boat so that they can keep the main part running all the time, and then they can run those fish from boat to boat and keep them there when they have so many they cannot can them. I know when Mr. Waller was fishing there was about 10 days he could not get out to his traps, and at the end of the ten days they were all right and not a dead one in the lot. On the Fraser River they are very stringent and enforce their regulations. It is on the principle that the canneries will not work on Sunday, and therefore there is no necessity of fishing Saturday.

Q. You would have 4 or 5 weeks fishing for the sockeyes?

A. Yes; that will cover the run.

Q. How about other salmon?

A. The only way is to have a law enacted to prevent the destruction of those fish.

Q. Mr. Wadhams told me they intended to fish late and can some of those fish this year.

A. Well, I will be glad to see them do it.

Last year they sent their steamer all over the Sound to get enough to fill up.

Q. Did they have very large catches this year, do you know?

(must be 80,000)?  
A. One day they caught 8,000 salmon.

Q. In how many traps?

A. Well, they are fishing 8 traps, but there are 2 that did not catch but a very small fraction of that amount. The 3 on the reef and the one at the light house reserve did all the fishing.

Q. Have they had very large catches?

A. Yes; they have made on an average 30,000 a day since the fish began to run.

Q. Do you know what time the season began?

A. Well, I think -- say about the 20th of July. It was pretty late.

Q. I wonder how we could get an account at the end of the season of the number of fish they have caught?

A. I can inquire. We are going to have them on the stand.

Q. I thought of having a letter written directly to them asking them if they would give us a sworn statement?

A. I do not think they will. It was understood by Mr. Kirby that he shall not let on anything about it, but we propose to force them in their evidence to tell.

Q. You can then tell what the destruction of fish has been because there is no trouble in getting at the number of cans they pack is there?

A. No, sir, not at all. All their fish are shipped from San Francisco, but we can tell by the number of cases, as I have parties who will keep watch of them, and they make no attempt to disguise that part.

Q. Of course, the Canadians complain of this enormous catch and waste of fish there, and you think they waste a great many fish?

A. Well, there always has been a great waste there. I dont know whether they did this year, but last year they cut the bellies out of the sockeyes and threw away the backs. When they first began they had more of them possibly than they do now. They would cut out the backs and use the bellies. They did not have the capacity for any great quantity and would just cut the bellies out and throw the

backs in the water. When I was over there a week ago there was great quantities floating in the water. Their capacity is not over 30,000 salmon a day and several days there they caught 50,000 and 60,000 salmon, and 2 or 3 days in succession they did that.

Q. How many salmon go to the Fraser River? Are there many in proportion?

A. Well, no; there cannot be, because Mr. Goodfellow is the only one that is fishing, and Pike, but Pike would not cut any figure, what he would catch up in the bay. Wright sells to the A. P. A., and in fact they furnish him the twine and he fishes on shares. Almost all the fish caught there are used there.

Q. Do they destroy many other fish that might be saved?

A. Well, I dont think -- Heretofore the spring salmon that they caught, the larger portion of them they would sell to the Indians for a small price, but they have been opposed to the Indians and this year they will not sell them the fish, and the Indians tell me they throw them in the water. They threw away 300 or 400 one day and the Indians could not get any

to eat. The sturgeon they ship to the Fraser River. They also catch a few shad there now, and they are increasing every year I notice.

Q. I should not think shad would amount to much here without having local markets for them, when you have so many salmon.

A. Well, the trouble is we have so many that there is not more than one man in a hundred will eat salmon. I never think of eating salmon, but am very fond of shad.

Q. What I meant was that you have so few local markets here.

A. Yes, that is true; but what I meant was the way they have been distributed. The Government has certainly done well with them.

While we are talking on the subject, if there is ever any inquiry made with reference to the introduction of the sockeye salmon, and if we could co-operate with the English Government in getting the eggs over there, I think it would be a grand thing for the Puget Sound region to introduce them in the Skagit River and the Nooksack. I dont think there would be any



trouble in getting eggs. I had a long talk with Mr. Merwett? and he said he did not think there would be any trouble and that the Canadian people would be only too glad to do so. We have Lake Whatcom, which is 312 feet above the city here, and there is a fine chance for a hatchery there.

Q. Why dont the sockeye go into those streams in abundance?

A. I cannot account for it; and it is strange too, th~~is~~ break in the run of salmon -- two heavy and two light years. The Indians say that it occurs by reason of the slides that occur on the Fraser River, which is common up in the mountains, that destroy the salmon spawn, and that it occurred for two successive seasons.

Q. Did you ever see any trap fishing elsewhere than about here?

A. No, sir; this is my first experience.

Q. On the eastern coast they use a floating trap a good deal.

A. They do? I have not had the Fish Commission publication for several years. I think in 1889 was the last I had, and I would be very much pleased to have them.

Q. Now, on these nets attached to the inner part of the heart is a jigger; when did they begin to use that jigger? Do you know what it is?

A. No, sir. (Mr. Rathbun explains).

Q. When did they begin to put those in?

A. Well, I think it was 3 seasons ago. That is an idea of Mr. Kirby's I recollect now. I think that idea was original with Mr. Kirby.

Q. Of course, if apertures were left between the nets -- between succeeding nets in a string, it would give the Indians a chance.

A. Oh, yes; and the effort now being made is to remove those 3 traps, as especially those traps run right over the grounds the Indians have always fished on. You take 3 traps and string them out 1,000 feet or 1200 feet, and there are very few salmon going to escape, so that there ought not to be more than 2 traps running from shore, and then shorten the lead, say to 900 feet, and then with an aperture of 600 feet, it would give many fish a chance. We are going to stir the Company up. We are going to start a series of articles in the news-

papers here and show them up. There is another question; I dont know whether -- This saw dust that has been thrown in the water in this country -- we have up there near Blaine Harbor -- Drayton Harbor as it is generally called -- we have 4 or 5 saw mills that are running all the year round, and they are dumping in thousands of tons of saw dust and it is killing all kinds of fish. I think that the scarcity of fall salmon is owing to the large quantities of saw dust that has been dumped in the bay there.

Q. Do you have a river where the fall salmon run up?

A. Yes; there are 3 small creeks; one right on the line, and 2 others.

Q. You have a law that relates to saw dust?

A. Yes.

Q. Does it apply to this part of the state?

A. Yes; but it is not enforced at all. We had an old law, and I think they introduced an amendment by some one at the last legislature and it was killed.

Q. The Secretary of State handed me the

manuscript of the laws as they exist to-day, but they have not been printed yet, and I remember some items about saw dust. There is a United States law that applies to navigation, but not to the fisheries; that is, relating to saw dust.

A. Well, of course, there are tide lands there and they run out a mile or mile and a half.

Q. This question of tide lands is going to make a great destruction of clams and oysters.

A. Yes, we realize that. As a matter of fact the filling in of the tide lands where it occurs -- I think the sewage from the city kills all those clams anyway or render them valueless for food. It is a question we realize needs some attention here.

Q. Of course, the sockeye is the salmon that needs attention here?

A. Yes, sir.

Q. The other salmon do not need so much.

A. Yes, that is the particular salmon.

Q. We are called upon only in that connection. Of course if the silver salmon are becoming exhausted that matter ought to be

considered, but that interests the state more.

A. Yes, that is a state proposition.

Q. Of course, from Mr. Myers I got a good account of the salmon they get around Seattle. At Muckilteo to-day as I came along I saw a number of Indians with their purse seine boats on the shore just south of Muckilteo. I saw at least 6 of those boats with purse seines in them, and off the shore perhaps a quarter of a mile I saw a purse seine that they were evidently hauling in with fish. On the shore I saw a number of men and they apparently were Indians and there seemed to be a number of shanties put up right there.

A. The purse seine business is principally in the hands of Italian fishermen.

Q. That is what surprised me, and it may be I saw some of them and was mistaken. Would those purse seiners establish themselves right at that place?

A. Yes; they are located to catch the humpback run. They have not begun to catch yet. I was advised night before last to that effect. They are catching for Myers and ship to Seattle. It is rather early yet up there.

We catch them here before they get up the Sound, and they are in much better condition; the humpback, when they come into fresh water, in a couple of days it will render them almost useless. But we get them here bright and with very little hump on their back and no hook in their nose, and quite fat and oily.

Q. How is it with the silver salmon all around in the southern part of the Sound, do you get them here first?

A. Yes; they come in here before they go in the upper part of the Sound.